



Docket No.: 10122/005003  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Toshihiro Fukuda et al.

Application No.: 10/804,836

Confirmation No.: 7548

Filed: March 19, 2004

Art Unit: 3611

For: MOTOR-OPERATED POWER STEERING  
APPARATUS

Examiner: T. H. Winner

**REQUEST TO CLARIFY CLAIM FOR PRIORITY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**22511**  
PATENT TRADEMARK OFFICE

Dear Sir:

The Declaration in this application, a copy of which is attached, makes reference  
to three prior foreign applications:

1. Japan – 2000-220404 filed July 21, 2000;
2. Japan – 2000-220405 filed July 21, 2000; and
3. Japan – 2002-272830 filed September 19, 2002.

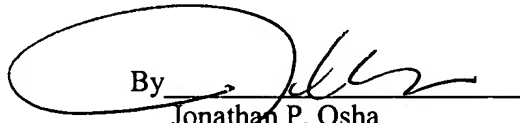
Priority was claimed from the first and second of the above applications but *not* the third. However, in the publication of December 9, 2004, the third Japanese application was erroneously included in the foreign application priority data (a copy of the first page of the publication is enclosed).

Accordingly, applicant respectfully requests that the records of the U.S. Patent and Trademark Office be corrected to clarify that priority is not claimed from the 2002-272830 application, so that any patent that may issue from the instant application correctly lists only the two Japanese applications from which priority is actually claimed.

No petition is believed necessary for this request, however, if a petition is deemed necessary, please consider this paper as such, and charge the necessary fee to applicant's Deposit Account No. 50-0591, under Order No. 10122/005003 from which the undersigned is authorized to draw. Should there be any questions, please feel free to contact the undersigned at the telephone number below.

Dated: May 30, 2006

Respectfully submitted,

By   
Jonathan P. Osha  
Registration No.: 33,986  
OSHA · LIANG LLP  
1221 McKinney St., Suite 2800  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)

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PTO/SA106 (8-96)

Approved for use through 9/30/98. OMB 0651-0032  
Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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## Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

PTO Customer No.  
22511

以下の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

MOTOR-OPERATED POWER STEERING APPARATUS

上記発明の明細書（下記の欄でx印がついていない場合は、本表に添付）は、

the specification of which is attached hereto unless the following box is checked:

☐ 月 日に提出され、米国出願番号または特許協定条約国際出願番号を \_\_\_\_\_ とし、  
(該当する場合) \_\_\_\_\_ に訂正されました。

☒ was filed on March 19, 2004  
as United States Application Number or  
PCT International Application Number  
10/804,836 and was amended on \_\_\_\_\_  
(if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条5.6項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

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Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

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## Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編第119条(a)-(d)項又は365条(b)項に基づき下記の、米国外の国の少なくとも一カ国を指定している特許協力条約365(a)項に基づき国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している。本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示しています。

### Prior Foreign Application(s)

外国での先行出願 2000-220404	Japan
(Number) (番号)	(Country) (国名)
2000-220405	Japan
(Number) (番号)	(Country) (国名)
2002-272830	Japan
(Number) (番号)	(Country) (国名)

私は、第35編米国法典119条(e)項に基づいて下記の米国外特許出願規定に記載された権利をここに主張いたします。

(Application No.) (出願番号)	(Filing Date) (出願日)
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私は、下記の米国法典第35編120条に基づいて下記の米国外特許出願に記載された権利、又は米国外を指定している特許協力条約365条(c)項に基づき権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国外特許出願に開示されていない限り、その先行米国外特許出願提出日より本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

10/088,790	21 March 2002
(Application No.) (出願番号)	(Filing Date) (出願日)
PCT/JP01/06319	23 July 2001
(Application No.) (出願番号)	(Filing Date) (出願日)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じているところに基づき表明が全て真実であると信じていること。さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること。そしてそのような故意による虚偽の表明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
優先権主張なし

21 July 2000	<input type="checkbox"/>
(Day/Month/Year Filed) (出願年月日)	
21 July 2000	<input type="checkbox"/>
(Day/Month/Year Filed) (出願年月日)	
19 September 2002	<input checked="" type="checkbox"/>
(Day/Month/Year Filed) (出願年月日)	

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.68 which became available between the filing date of the prior application and the national or PCT International filing date of application.

Pending
(Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)
(Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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**Japanese Language Declaration**  
(日本語宣言書)

委任状： 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。(弁理士、または代理人の氏名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

PTO Customer No. 22511

Send Correspondence to:

送付先

Jonathan P. Osha  
Osha Novak & May L.L.P.  
1221 McKinney St., Suite 2800  
Houston, TX 77010

直接電話連絡先： (名前及び電話番号)

Direct Telephone Calls to: (name and telephone number)

Jonathan P. Osha  
713-228-8600

唯一または第一発明者名	Full name of sole or first inventor
	Toshihiro FUKUDA
発明者の署名	Inventor's signature
日付	Date
	<i>Toshihiro Fukuda</i> Jun. 25 2004
住所	Residence
	Maebashi-shi, Gunma, JAPAN
国籍	Citizenship
	JAPAN
私書箱	Post Office Address
	c/o NSK Steering Systems Co., Ltd.
	78, Toriba-machi, Maebashi-shi,
	Gunma 371-0845, JAPAN
第二共同発明者	Full name of second joint inventor, if any
	Shuji ENDO
第二共同発明者	Second inventor's signature
日付	Date
	<i>Shuji Endo</i> Jun 25 2004
住所	Residence
	Maebashi-shi, Gunma, JAPAN
国籍	Citizenship
	JAPAN
私書箱	Post Office Address
	c/o NSK Steering Systems Co., Ltd.
	78, Toriba-machi, Maebashi-shi,
	Gunma 371-0845, JAPAN

(第三以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for third and subsequent joint inventors.)

# Japanese Language Declaration

## Additional Inventor Signature Sheet

Full name of third inventor Hiroshi EDA	
Third inventor's signature <i>Hiroshi EDA</i>	Date July. 5. 2004
Residence Maebashi-shi, Gunma, JAPAN	
Citizenship JAPAN	
Post Office Address c/o NSK Steering Systems Co., Ltd., 8-1, Soja-machi 1-chome, Maebashi-shi, Gunma 371-0853, JAPAN	

Full name fourth inventor Osamu TATEWAKI	
Fourth inventor's signature <i>Osamu Tatewaki</i>	Date July. 05. 2004
Residence Maebashi-shi, Gunma, JAPAN	
Citizenship JAPAN	
Post Office Address c/o NSK Steering Systems Co., Ltd., 8-1, Soja-machi 1-chome, Maebashi-shi, Gunma 371-0853, JAPAN	

Full name of fifth inventor Kenichi HAYAKAWA	
Fifth inventor's signature <i>Kenichi Hayakawa</i>	Date July 6. 2004
Residence Maebashi-shi, Gunma, JAPAN	
Citizenship JAPAN	
Post Office Address c/o NSK Steering Systems Co., Ltd., 8-1, Soja-machi 1-chome, Maebashi-shi, Gunma 371-0853, JAPAN	

Full name of sixth inventor Hiroataka HATANO	
Sixth inventor's signature <i>Hiroataka Hatano</i>	Date Jun. 30. 2004
Residence Atsugi-shi, Kanagawa, JAPAN	
Citizenship JAPAN	
Post Office Address c/o NSK Ltd., 5th Floor, Tobutaiho Bldg., 6-10, Naka-cho 2-chome, Atsugi-shi, Kanagawa 243-0018, JAPAN	

## Japanese Language Declaration

### Additional Inventor Signature Sheet

Full name seventh inventor	Mineki OKAMOTO	
Seventh inventor's signature	<i>Mineki Okamoto</i>	Date <i>Jun. 22. 2004</i>
Residence	Kisarazu-shi, Chiba, JAPAN	
Citizenship	JAPAN	
Post Office Address	c/o Kisarazu National College of Technology 11-1, Kiyomidai Higashi 2-chome, Kisarazu-shi, Chiba 292-0041, JAPAN	

Full name eighth inventor		
Eighth inventor's signature		Date
Residence		
Citizenship		
Post Office Address		

Full name ninth inventor		
Ninth inventor's signature		Date
Residence		
Citizenship		
Post Office Address		

Full name of tenth inventor		
Tenth inventor's signature		Date
Residence		
Citizenship		
Post Office Address		